



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No: 93-99

21 June 1999

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 June 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board Found that you enlisted in the Navy on 6 February 1952. You received medical treatment on 17 and 24 April 1953 for a suspected foreign body in your left eye, with slightly decreased visual acuity. Your vision had returned to normal as of 26 January 1956, when you underwent a pre-separation physical examination, and were found to have 20/20 vision in both eyes. You did not disclose any potentially disqualifying defects at that time, despite being admonished to do so. You were released from active duty on 30 January 1956, and transferred to the Naval Reserve.

The Board was not persuaded that your pre-separation physical examination was deficient, or that you were unfit by reason of physical disability at that time. It noted that the mere presence of a retained foreign body in your eye, without evidence of unfitness to perform the duties of your rate, would not have entitled you to disability separation or retirement. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director